

NOTICE OF RULE MAKING

Pursuant to one or more of the following Arkansas Codes, 20-76-201(13), 20-10-211(a), 20-10-203(b), 20-76-433, 20-77-102, 20-77-107, 20-77-603, 25-10-129 and 42 Code of Federal Regulations 447 Subpart B, the Director of the Division of Medical Services hereby issues the following proposed changes in the Medical Assistance Program under Title XIX of the Social Security Act:

The proposed rule amends the Medicaid State Plan to provide for compliance with the decree entered by the United States District Court for the Eastern District of Arkansas in the case of Arkansas Medical Society v. Reynolds. The State will be able to comply with court ordered rate adjustments for services that are reimbursed based on physician reimbursement methodologies and for private duty nursing services without having to amend the Medicaid State Plan each time the decree requires a rate adjustment.

The proposed policy is available for review at the Division of Medical Services, Program Planning and Development, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access it on the Medicaid website (www.medicaid.state.ar.us), and download it from the "Proposed Rules For Public Comment" section of the website's *General* menu. Policy accessed from this location will be watermarked with the word "Proposed". All comments must be submitted in writing no later than May 13, 2004.

If you need this material in a different format, such as large print, contact our Americans with Disabilities Act Coordinator at 682-6789 and 1-877-708-8191. Both telephone numbers are voice and TDD.

The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin. **4500326960 EL**

Roy Jeffus, Director
Division of Medical Services

Date: April 14 – April 16, 2004